

**BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA**

Chevron Products Company,

Complainant,

vs.

Equilon Enterprises LLC, dba Shell Oil Products  
US, and Shell Trading (US) Company,

Defendants.

Case 05-12-004  
(Filed December 5, 2005)

**ADMINISTRATIVE LAW JUDGE'S RULING  
GRANTING DEFENDANTS' MOTION TO FILE UNDER SEAL**

Pursuant to Rule 45 of the Rules of Practice and Procedure, Equilon Enterprises LLC, doing business as Shell Oil Products US, and Shell Trading (US) Company (collectively, the Moving Parties) move to file under seal the June 5, 2005 Arbitrator's Decision and Settlement Agreement filed in this proceeding. The Moving Parties allege that the parties' arbitration agreement requires that the 2005 Arbitrator's Decision and Settlement Agreement be kept confidential. In addition, the Moving Parties state that the Arbitrator's Decision and Settlement Agreement contain confidential, commercially sensitive information, disclosure of which would result in substantial competitive harm to the Moving Parties.

There has been no opposition to this request.

The motion states grounds for a protective order under Pub. Util. Code § 583 and General Order 66-C and authority there cited. A public hearing on the motion is unnecessary.

Good cause appearing, **IT IS RULED** that:

1. The Motion for Authority to File and Maintain Confidential Information Under Seal and for Adoption of a Protective Order filed by Equilon Enterprises LLC, doing business as Shell Oil Products US, and Shell Trading (US) Company (collectively, the Moving Parties) is granted to the extent set forth below.

2. The Arbitrator's Decision and Award dated June 20, 2005, identified as Exhibit B to the Declaration of Paul C. Lacourciere and filed under seal, shall remain under seal for a period of two years from the date of this ruling, and during that period shall not be made accessible or disclosed to anyone other than Commission staff except (1) on the further order or ruling of the Commission, the Assigned Commissioner, the assigned Administrative Law Judge (ALJ), or the ALJ then designated as Law and Motion Judge (which order shall only be entered after notice to the Moving Parties and an opportunity to be heard), or (2) upon execution of an appropriate nondisclosure agreement by the party to whom disclosure is made.

3. If the Moving Parties believe that further protection of this information is needed after two years, that party may file a motion stating the justification for further withholding the information from public inspection, or for such other relief as the Commission rules may then provide. This motion shall be filed no later than 30 days before the expiration of this protective order.

Dated March 8, 2006, at San Francisco, California.

/s/ GLEN WALKER

Glen Walker  
Administrative Law Judge

## **CERTIFICATE OF SERVICE**

I certify that I have by mail this day served a true copy of the original attached Administrative Law Judge's Ruling Granting Defendants' Motion to File Under Seal on all parties of record in this proceeding or their attorneys of record.

Dated March 8, 2006, at San Francisco, California.

/s/ KE HUANG

Ke Huang

## **N O T I C E**

Parties should notify the Process Office, Public Utilities Commission, 505 Van Ness Avenue, Room 2000, San Francisco, CA 94102, of any change of address to ensure that they continue to receive documents. You must indicate the proceeding number on the service list on which your name appears.